

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

PALMYRA ASSOCIATES, LLC, ET AL. v. COMMISSIONER OF HIGHWAYS
(Record Number 191680)

From

The Circuit Court of Fluvanna County; R.D. Taylor, Jr., Judge.

Counsel

Joseph E. Blackburn (Blackburn, Conte, Schilling & Click, P.C.) for appellants.

Francis A. Cherry, Jr., and F. Adam Cherry, III (Randolph, Boyd, Cherry and Vaughan) for appellee.

Assignments of Error

1. The trial court erred as a matter of case law in striking David Sutton's testimony as to his opinion of damages to the residue.
2. The trial court erred as a matter of case law in refusing to admit into evidence site plans Landowner had prepared over 10 years prior to the take showing the development potential of their property and overlays showing the impact of the imposition of the fourth leg of the roundabout on the development potential of their property. These plans are Refused Exhibits A, B & C.
3. The trial court erred in putting the parties on terms of either the court confirming the value of the take or ordering a new trial.
4. The trial court erred as a matter of case law in finding that Mr. Sutton's testimony had anything to do with damaging the property on a "per lot" basis.